

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:19-CV-509-D

SYNGENTA CROP PROTECTION, LLC,     )  
   )  
Plaintiff,                                     )  
   )  
v.   )  
   )  
ATTICUS, LLC,                                 )  
   )  
Defendant.                                     )

**ORDER**

This matter is before the court on Defendant's motion to seal Exhibit 2 to the Declaration of Robert J. Scheffel in support of Defendant's Motion to Compel Complete Discovery from the Files of Dr. Robert Sardzik and Dr. Alan Whitton. Defendant seeks to seal the filing on the ground it contains confidential business and trade-secret information, including information concerning the parties' business relationships, third parties' processes for the manufacture of azoxystrobin, and Plaintiff's azoxystrobin business (Def.'s Mot. Seal [DE #531] at 2.) Defendant has filed a proposed redacted version of the document, omitting the portions it contends should not be available to the public.

For the reasons set forth in Defendant's motion and supporting memorandum, the court grants Defendant's motion to seal. The court finds that the public's common law right of access is outweighed by the interests of the parties and third-party manufacturers in protecting against competitive and/or financial harm were such

information made public. *In re Knight Publ'g Co.*, 743 F.2d 231 (4th Cir. 1984). Public notice of the request to seal the documents and a reasonable opportunity to object have been provided by the filing of Defendant's motion, and no objections have been filed with the court. Defendant has narrowly tailored its request to remove only information that is sensitive and confidential and not otherwise publicly known. Furthermore, the parties have since settled all matters in controversy between them. Consequently, the sealed document will not be the subject of any ruling by the court.

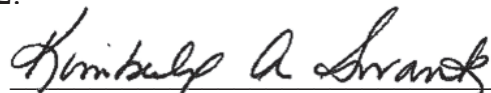
### **CONCLUSION**

For the foregoing reasons, it is hereby ORDERED as follows:

1. Defendant's Motion to Seal [DE #531] is GRANTED. Exhibit 2 to the Declaration of Robert J. Scheffel in support of Defendant's Motion to Compel Complete Discovery from the Files of Dr. Robert Sardzik and Dr. Alan Whitton [DE #490-2] shall be SEALED.

2. The clerk shall UNSEAL the redacted version of the exhibit, which was provisionally sealed upon filing [DE #532] unless a motion to seal is filed within seven (7) days of the date this order is entered.

This 22nd day of December 2022.



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KIMBERLY A. SWANK  
United States Magistrate Judge